

The PRESIDING OFFICER. We must have order in the Chamber.

AMENDMENT NO. 2634

Mr. KERRY. Mr. President, may I have the yeas and nays on the Daschle amendment? Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. NICKLES. I announce that the Senator from Pennsylvania (Mr. SPECTER), is absent because of illness.

Mr. FORD. I announce that the Senator from Hawaii (Mr. INOUE), is necessarily absent.

The result was announced—yeas 45, nays 53, as follows:

[Rollcall Vote No. 152 Leg.]

YEAS—45

Akaka	Feingold	Levin
Baucus	Feinstein	Lieberman
Biden	Ford	McCain
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Breaux	Harkin	Moynihan
Bryan	Hollings	Murray
Bumpers	Johnson	Reed
Byrd	Kennedy	Reid
Cleland	Kerrey	Robb
Conrad	Kerry	Rockefeller
Daschle	Kohl	Sarbanes
Dodd	Landrieu	Torricelli
Dorgan	Lautenberg	Wellstone
Durbin	Leahy	Wyden

NAYS—53

Abraham	Faircloth	Mack
Allard	Frist	McConnell
Ashcroft	Gorton	Murkowski
Bennett	Gramm	Nickles
Bond	Grams	Roberts
Brownback	Grassley	Roth
Burns	Gregg	Santorum
Campbell	Hagel	Sessions
Chafee	Hatch	Shelby
Coats	Helms	Smith (NH)
Cochran	Hutchinson	Smith (OR)
Collins	Hutchison	Snowe
Coverdell	Inhofe	Stevens
Craig	Jeffords	Thomas
D'Amato	Kempthorne	Thompson
DeWine	Kyl	Thurmond
Domenici	Lott	Warner
Enzi	Lugar	

NOT VOTING—2

Inouye Specter

The amendment (No. 2634) was rejected.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, we have now dispensed with the issue of addressing the problem of drugs in America. Tomorrow, we will take up the tax cut issue. There will be an amendment on this side of the aisle and an amendment on the other side of the aisle.

It is our hope that, following that, we will be able to take up the substitute. There are, I understand, two important substitutes, one by the Senator from Utah, which he has talked about at some length, and also one by perhaps Senator GRAMM and Senator DOMENICI. There is still concern about the issue of

attorneys' fees. I would not be surprised if there was another amendment on that issue, and, of course, there is the remaining issue of the agriculture section of the bill, which could be addressed after cloture, if necessary.

Frankly, Mr. President, I don't know of any other major issues that are affecting this legislation. I hope that we can not only move forward but, at the appropriate time this week, hopefully the majority leader can propose a cloture vote so we can bring this issue to a close.

All of us are aware that we are in our third week on this legislation. All of us are aware that we have other legislation that we need to address, including very important appropriations bills.

I must say that on this day I am pleased with the progress that we have made, and I am pleased that we are going to address the issue of taxes, which is important to Members on both sides of the aisle.

So, Mr. President, I say, in the words of the late Mark Twain, the reports of the death of this legislation are premature. However, we certainly, by no means, have total confidence that we will reach a successful conclusion. But I think those of us who are supporting this legislation can be pleased at the progress we are making at this time. And it does not in any way mean that we do not have a lot of difficult hurdles to get over before we have a final vote. I yield the floor.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Let me join the Senator from Arizona in simply saying that I think this was an important step forward today in a lot of respects. Neither the Senator from Arizona nor I want to sort of overly characterize what it may mean in the total yet, but it does open up the opportunity for the Senate to now move to the two remaining, most significant issues and then lay the groundwork to have, hopefully, an order of amendments for the following ones. I think it is not insignificant, therefore.

The last week permitted us, frankly, to be able to work quietly behind the scenes to be able to arrive at some understandings about the structure of the tax component of the bill. And while there are two alternatives being offered, the fact is that for a week we have understood that embracing a component of the tax cut in this legislation was not inappropriate—in fact, might not only be a necessary ingredient of passing it but also an important reality for the amounts of money that are being raised in the revenues.

So I think we are on a track where we have the ability tomorrow to make again some significant progress. And hopefully, with the substitutes, then we will have few remaining contentious issues and, obviously, some others that we ought to be able to arrive at a reasonable understanding about.

So my hope is that those Senators who have must-do amendments will

certainly inform us of those in the course of the next day or so.

I thank my colleague for his cooperation. And I yield the floor.

MORNING BUSINESS

Mr. KERRY. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBB addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Thank you, Mr. President.

TRIBUTE TO BRIGADIER GENERAL TERRY PAUL

Mr. ROBB. Mr. President, I would like to just share with those of our colleagues who are watching the floor at this moment a ceremony that I just attended, that a number of our colleagues just attended, for the promotion of then Colonel Terry Paul to Brigadier General Terry Paul, the U.S. Marine Corps.

This is somewhat unusual, because General Paul has been serving as the Marine Corps liaison in the U.S. Senate for almost a decade. He came as a lieutenant colonel, he was promoted to the rank of full colonel, and this afternoon was promoted to the rank of brigadier general, where he will move across the Potomac to serve as the Legislative Assistant to the Commandant of the Marine Corps.

Many generals, officers of the Marine Corps, admirals of the Navy, representatives of the Department of Defense, and some of our colleagues in the House and Senate were there, to recognize an extraordinary Marine and an extraordinary patriot, someone who has worked very, very hard and very, very professionally in a job that many of us appreciate.

Mr. President, during his nearly 10-year assignment with the Marine Corps Liaison Office here in the Senate, General Terry Paul has championed a number of programs—like the M1A1 tank, the Maritime Pre-positioned Forces (MPF), the V-2 Osprey, and the Advanced Amphibious Assault Vehicle (AAAV)—that have helped sustain the Corps as the premiere expeditionary force in readiness and have helped mold the Corps for the twenty-first century.

To those of us who worked with him, General Paul has been a strong advocate for his beloved Corps.

He has poured his heart and soul into every facet of an issue, championing the best interest of the Corps and the nation, regardless of scope or monetary value.

He has also never lost sight of the individual Marine—working just as hard to secure a piece of gear that would keep a Marine dry during inclement

weather as he would for a multi-million dollar modernization program that enhances the overall capability of the Corps.

As the Marine Corps' representative to the United States Senate, General Paul has also been instrumental in planning and assisting with countless congressional oversight missions here and abroad.

And as the only Senator serving on all three national security committees, I have personally embarked upon many a mission with General Paul.

On numerous occasions, I have been grateful for his invaluable assistance to me and to other Members of this body on what are inevitably grueling visits overseas.

General Paul unfailingly represents the Corps and country with great commitment and dedication.

Not only does General Paul do his job with extraordinary efficiency, with immense dedication, and with enormous pride, but he also does his job with great humor.

Whether it's Marine Corps ear-marks in the DOD bill, or racing to an airport in Ashgabat at 0-dark-30, or showing us the mettle of the Marines at Paris Island, Terry Paul is a consummate professional.

In my judgment, no one has better represented the Marine Corps on Capitol Hill.

And so, Mr. President, it is with high hopes and great appreciation that I wish General Paul godspeed as he embarks upon this new mission.

He moves to the Pentagon having contributed greatly to our work here—and having represented the Corps here in the Senate with enormous conviction.

We will miss him as a regular colleague—or at least an honorary colleague—in the Russell Senate Office Building—but he will be with us in spirit as he moves across the river. I look forward to continuing to work with him.

I will end by saying: to a Marine's Marine, to a man who epitomizes the motto of the Corps—Semper Fidelis, General Terry Paul.

And with that, Mr. President, I thank the Chair for the opportunity to recognize the extraordinary service of a very fine Marine and a very fine and patriotic American, and I yield the floor.

Mr. McCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I join in the very kind remarks of the Senator from Virginia concerning Colonel Paul. He has done an outstanding job for many, many years and is a man all of us are proud of in his service to our Nation.

TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY

Mr. LOTT. Mr. President, this is a great day for America's drivers, rail passengers, and freight haulers. Today,

the Transportation Equity Act for the 21st Century (TEA21) has been signed into law. TEA21 will lead to better, safer, and less congested roads and bridges throughout the country. This extremely important transportation legislation is a great investment in our nation's future.

I applaud my colleagues, in both chambers of Congress, and on both sides of the aisle, for passing the Transportation Equity Act by overwhelming majorities.

Transportation is one of the few issues that Congress deals with that clearly and directly impacts every American, every day. That is why it was so imperative that both chambers take swift action on this important infrastructure bill. Whether driving to work, participating in a car pool, taking a commuter train, riding a school bus, hauling goods from one city to the next, or transporting an accident victim to the nearest hospital, Americans depend on safe roads, highways, and bridges to get them to their ultimate destination.

When the extended Intermodal Surface Transportation Efficiency Act (ISTEA) ran out on May 1, Congress recognized the importance of getting this new reauthorization legislation passed. A number of states could have been in serious jeopardy had Congress waited beyond the Memorial Day recess to enact the Transportation Equity Act. Now that the President has acted on this landmark transportation bill, I am proud that Congress has fulfilled one of our most important responsibilities to the American people. Authorizing road and bridge improvements into the next century is a significant accomplishment. This act alone should dispel the notion that this Congress has done nothing.

The Transportation Equity Act for the 21st Century (TEA21) deals with a wide range of highway, transit, research, recreational, safety and environmental policy initiatives. TEA21 is a balanced and effective infrastructure bill that will enhance our nation's roads and highways. TEA21 extends and improves upon many of the provisions contained in ISTEA, helping move America forward into the next century. It furthers the notion of an efficient and integrated national intermodal transportation system. This unified system links America's 161,000 mile National Highway System with state and local roads, ports, trade corridors, and airports. TEA21 is necessary for our nation's prosperity.

The Transportation Equity Act for the 21st Century provides a total of \$216 billion for infrastructure development and improvements. That represents a 40% boost in transportation spending over current levels. This bill affects every state, every county and every city, providing significantly more money for the projects around the country that need and deserve federal assistance. TEA21 provides \$173 billion for highways, \$41.3 billion for mass

transit, and \$1.7 billion for highway safety programs. That translates into an annual highway spending increase of \$8 billion and about \$2 billion more annually for mass transit. Every year, \$10 billion more will be spent on needed infrastructure.

Mr. President, I am particularly pleased that the Transportation Equity Act, as its title implies, provides more equity than the formula allocations provided by ISTEA. Under TEA21, each state is guaranteed to receive at least 90.5 cents for every dollar that its drivers send to Washington through the gas pump. As a result, forty-nine states will receive more money, with an average increase of about 44% over their current allocation levels. Even Massachusetts, the one state that did not receive a funding increase, will still get back more than it contributes annually to the Highway Trust Fund.

Many of the beneficiaries of the Act's minimum guarantee are the southern, midwestern, and western states commonly referred to as donor states. For years, these states have received far less in highway funding than they contributed in gas tax revenues. While TEA21 doesn't completely eliminate their donor status, North Carolina, Tennessee, Georgia, Indiana, Oklahoma, Louisiana, Arizona, Montana, among other donor states, will for the first time see an overall increase of more than 50% and a return of more than 90 cents on the dollar.

My home state of Mississippi, for example, will receive 92 cents. That's a 58% increase over the state's current gas tax return. While this is not a perfect dollar for dollar exchange, it represents significant progress that will help pave a great number of dirt and other substandard roads in Mississippi. In the years to come, I will continue my efforts to improve the formula allocation for all donor states.

Mr. President, TEA21 also re-establishes the covenant with our nation's drivers. It insures that each dollar of revenue contributed to the Highway Trust Fund is spent on transportation priorities and not on other initiatives. While this bill does not take the Highway Trust Fund off-budget, it does guarantee a minimum of \$200.5 billion will be spent over the next six years on highways, safety, and mass transit programs. TEA21 also ensures that Congress fulfills its obligation to live within the Balanced Budget Agreement.

TEA21 authorizes bridge repair and improvement projects around the country. It supports the preservation of national historic covered bridges and includes funding that will allow states to retrofit bridges so they will be less prone to earthquake damage. Additionally, the bill provides \$900 million to replace the decaying Woodrow Wilson Memorial Bridge, a 35 year old structure that now carries more than twice the 72,000 vehicles it was built to withstand. At the current rate of deterioration, passenger and freight traffic will be forced to stop in seven years. This is